UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 95-7647

STEVEN C. WHISENANT,

Plaintiff - Appellant,

versus

GARY WATERS, Sheriff, Portsmouth City Jail; MAJOR SPURIOR, Classifications, Portsmouth City Jail; CAPTAIN NORRIS, Classifications, Portsmouth City Jail; LIEUTENANT BANKS, Classifications, Portsmouth City Jail; SERGEANT PEEBLES, Sergeant of Security, Portsmouth City Jail; CITY OF PORTSMOUTH; J. R. SHARPE, Major; JOE SMITH; M. B. LEDOYEN, Lieutenant; CAPTAIN BULLOCK,

Defendants - Appellees,

and

LIEUTENANT PORTSMOUTH CITY JAIL; JOHN DOE, Deputy/Officer, Portsmouth City Jail,

Defendants.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca B. Smith, District Judge. (CA-94-161-2)

Submitted: January 18, 1996 Decided: February 15, 1996

Before HAMILTON and LUTTIG, Circuit Judges, and CHAPMAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Steven Whisenant, Appellant Pro Se. Amy Moss Levy, Mark Douglas Stiles, Kevin Lawson Keller, WILLCOX & SAVAGE, Norfolk, Virginia; Stuart E. Katz, Nancy Bennett Cherry, CITY ATTORNEY'S OFFICE, Portsmouth, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order denying relief on his 42 U.S.C. § 1983 (1988) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Whisenant v. Waters, No. CA-94-161-2 (E.D. Va. Sept. 19, 1995). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

<u>AFFIRMED</u>